

FORM 26. Docketing Statement

Form 26 (p. 1)
July 2020**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT****DOCKETING STATEMENT****Case Number:** 23-2364**Short Case Caption:** Combs v. McDonough**Filing Party/Entity:** Stephen Craig Combs

Instructions: Complete each section or check the box if a section is intentionally blank or not applicable. Attach additional pages as needed. Refer to the court's Mediation Guidelines for filing requirements. An amended docketing statement is required for each new appeal or cross-appeal consolidated after first filing.

Case Origin	Originating Number	Type of Case
CAVC	22-1831	Veterans

Relief sought on appeal: ☐ None/Not Applicable

Mr. Combs seeks for a portion of a CAVC decision to be reversed or vacated and remanded

Relief awarded below (if damages, specify): ☒ None/Not Applicable**Briefly describe the judgment/order appealed from:**

The judgment/order appealed from is a memorandum decision that affirmed the Board of Veterans Appeals decision with respect to clear and unmistakable error

Nature of judgment (select one):

Date of judgment: 8/14/23☐ Final Judgment, 28 USC § 1295☐ Rule 54(b)☐ Interlocutory Order (specify type) _____☒ Other (explain)38 U.S.C. 7291

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Name and docket number of any related cases pending before this court, and the name of the writing judge if an opinion was issued. ☒ None/Not Applicable

Issues to be raised on appeal: ☐ None/Not Applicable

Whether the Board of Veterans Appeals made a legal error when it held there was no clear and unmistakable error in the August 2000 rating decision failed to assign the maximum allowable benefit for Mr. Combs's GERD
Whether the Veterans Court made a legal error when it affirmed the Board of Veterans Appeals Decision finding no clear and unmistakable error in the August 2000 rating decision

Have there been discussions with other parties relating to settlement of this case?

☐ Yes ☒ No

If "yes," when were the last such discussions?

- ☐ Before the case was filed below
- ☐ During the pendency of the case below
- ☐ Following the judgment/order appealed from

If "yes," were the settlement discussions mediated? ☐ Yes ☐ No

If they were mediated, by whom?

Do you believe that this case may be amenable to mediation? ☐ Yes ☐ No

Explain.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

Date: 9/15/23 Signature: /s/ Meghan Gentile
Name: Meghan Gentile